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# HOUSE BILL No. 1406

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-8-2.5.

**Synopsis:** Public safety expenses for events. Specifies that a city, town, or county may adopt an ordinance or a resolution to collect a fee for costs incurred by the unit for providing security for a special event.

**Effective:** July 1, 2004.

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**Bauer**

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January 20, 2004, read first time and referred to Committee on Local Government.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1406

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 36-8-2.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2004]:

4 **Chapter 2.5. Special Event Security**

5 **Sec. 1. As used in this chapter, "law enforcement officer" means**  
6 **the following:**

- 7 (1) **A regular member of a city or town police department.**  
8 (2) **A town marshal or town marshal deputy.**  
9 (3) **A regular member of a county sheriff's department.**

10 **Sec. 2. As used in this chapter, "special event" means any**  
11 **temporary activity that occurs on public or private property and**  
12 **that:**

- 13 (1) **affects the ordinary use of parks, public streets, public**  
14 **rights-of-way, or sidewalks;**  
15 (2) **affects traffic, including pedestrian traffic;**  
16 (3) **increases the use of public services;**  
17 (4) **generates considerable public participation; or**



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(5) affects public health, safety, or welfare.

The term includes the temporary presence within the unit of at least one (1) person that creates any of the circumstances listed in subdivisions (1) through (5).

Sec. 3. A unit may adopt an ordinance or a resolution establishing a procedure for assessing and collecting a fee from a person to pay the unit for the unit's cost of providing security for the special event that exceeds the regular law enforcement protection. The unit shall determine the additional security required for the special event.

Sec. 4. The unit may collect the fee described in this chapter from a person who:

(1) owns, is in possession of, or is in charge of the property where the special event takes place; or

(2) organizes or is responsible for the occurrence of the special event.

Sec. 5. For purposes of the assessment of a fee under section 3 of this chapter, a unit's cost for providing additional security for a special event may include:

(1) salaries of law enforcement officers;

(2) the pro rata cost of equipment;

(3) the cost of repairing the equipment and property of the unit;

(4) the cost of any medical treatment of injured law enforcement officers; and

(5) the cost of reasonable attorney's fees.

Sec. 6. This chapter does not prohibit a unit from assessing and collecting a fee for any cost incurred by the unit for a special event other than the cost of providing security for the special event.

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